

20333. Adulteration and misbranding of butter. U.S. v. 20 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond for reworking. (F. & D. no. 29068. Sample no. 4374-A.)

This action involved the interstate shipment of a quantity of butter, samples of which were found to contain less than 80 percent by weight of milk fat, the standard for butter prescribed by Congress.

On September 16, 1932, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 20 tubs of butter, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about September 7, 1932, by Peter Fox Sons Co., from Watertown, S.Dak., to Chicago, Ill., and charging adulteration and misbranding in violation of the Food and Drugs Act.

It was alleged in the libel that the article was adulterated in that a substance deficient in butterfat had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for the said article. Adulteration was alleged for the further reason that the article contained less than 80 percent of butterfat.

Misbranding was alleged for the reason that the article had been sold, shipped, and labeled as "butter", which was false and misleading, since it contained less than 80 percent of milk fat.

On October 14, 1932, Peter Fox Sons Co., Chicago, Ill., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant for reworking under the supervision of this Department, upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that it should not be sold or disposed of contrary to the provisions of the Federal Food and Drugs Act and all other laws.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20334. Adulteration of cauliflower. U.S. v. 385 Crates of Cauliflower. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29134. Sample no. 14222-A.)

This action involved a shipment of cauliflower which was found to bear arsenic in an amount that might have rendered the article injurious to health.

On October 14, 1932, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 385 crates of cauliflower, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped in interstate commerce on or about October 11, 1932, by J. C. Stevens, from Riverhead, N.Y., to Baltimore, Md., and charging adulteration in violation of the Food and Drugs Act.

It was alleged in the libel that the article was adulterated in that it contained an added poisonous and deleterious ingredient, arsenic, which might have rendered the article injurious to health.

On October 18, 1932, no claim having been entered for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20335. Adulteration of cauliflower. U.S. v. 235 Crates of Cauliflower. Consent decree of condemnation, forfeiture, and destruction. F. & D. no. 29136. Sample no. 16727-A.)

This action involved a shipment of cauliflower that was found to bear arsenic in an amount which might have rendered the article injurious to health.

On or about October 11, 1932, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 235 crates of cauliflower, remaining in the original unbroken packages at Jacksonville, Fla., alleging that the article had been shipped in interstate commerce on or about September 30, 1932, by Z. J. Fort Produce Co., from Denver, Colo., to Jacksonville, Fla., and charging adulteration in violation of the Food and Drugs Act. The article was labeled